



U.S. Environmental Protection Agency

Region I New England
5 Post Office Square – Suite 100
Boston, MA 02109-3912

JUN 14 2016

David LaRosee, Owner
H. LaRosee & Sons, Inc.
15 Broad Street
Hudson, MA 01749

Re: Request for Information Pursuant to Section 308 of the Clean Water Act
(33 U.S.C. § 1318), Docket No. CWA-308-R01-FY16-66.

Dear Mr. LaRosee:

On March 30, 2016, the U.S. Environmental Protection Agency (the "EPA") conducted a joint inspection with the Commonwealth's Department of Environmental Protection (the "Department") at your facility located at 15 Broad Street in Hudson (the "Facility"). The purpose of EPA's inspection is to evaluate your Facility's electroplating operations and discharge to the sanitary sewer system under the EPA's General Pretreatment Regulations at 40 C.F.R. Part 403, specifically Slug Discharge¹ under 40 C.F.R. § 403.8(f)(2)(vi).

At the time of the inspection EPA's inspectors observed significant cracking and corrosion and holes in the spill containment berm associated with your cyanide electroplating operations. EPA's inspectors also observed certain chemical process tanks showing significant signs of corrosion or deformation, and various and numerous chemical drag-out spills throughout the production floor.

EPA inspectors photographed process chemical tanks and inventoried approximately 8,765 gallons of liquid chemicals in your electroplating room. Liquid chemicals include, but are not limited to, nitric and sulfuric acids, sodium hydroxide and caustic soda, and cyanide, cadmium, nickel, copper, silver, and chromium electroplating solutions.

The acid and caustic neutralization probes and recorder associated with the Facility's wastewater treatment system were not working properly, and the system's discharge flowrate recorder was not functioning. Further, you informed EPA that pollutant monitoring and analysis for wastewaters introduced into the sanitary sewer system is not being conducted.

¹ Slug Discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause interference or pass through, or in any other way violate the town's regulations.

Section 308(a) of the Federal Clean Water Act (the "Act"), 33 U.S.C. § 1318(a), authorizes the EPA to require any owner or operator of a point source to provide information needed to determine whether there has been a violation of the Act.

The Facility is hereby required, pursuant to Section 308(a) of the Act, 33 U.S.C. § 1318(a) to respond to the questions in this Request for Information (the "Request"), and develop and implement a Slug Discharge Control Plan (see Attachment B, Question c) within 30 calendar days of receipt of this letter. Please read the instructions in Attachment A carefully before preparing your response and answer each question in Attachment B as clearly and completely as possible. In addition, this Request directs you to begin monitoring, within ten (10) calendar days of receipt of this letter, all process wastewaters introduced into the Town of Hudson's Publicly Owned Treatment Works from your facility. The required sampling program is outlined in Attachment C.

Your response to this Request must also be accompanied by a certificate that is signed and dated by you or a person who is authorized to respond to the Request. A Statement of Certification, Attachment D, is attached to this letter. Information submitted pursuant to this Request shall be sent by certified mail, and shall be addressed as follows:

United States Environmental Protection Agency, Region I
5 Post Office Square, Suite 100
Boston, MA 02109-3912
Attention: Joseph Canzano, OES04-4

Compliance with this Request is mandatory, and failure to respond fully and truthfully or to adequately justify any failure to respond within the time frame specified above also constitutes a violation of the Clean Water Act subject to enforcement action, including the assessment of penalties. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal prosecution under 18 U.S.C. § 1001.

The Small Business Regulatory Enforcement and Fairness Act ("SBREFA") provides small businesses the opportunity to submit comments on regulatory enforcement at the time of an EPA enforcement action. The enclosed Information Sheet contains information regarding their rights, and describes compliance assistance that may be available to you. The Small Business Ombudsman may be reached at 1-800-368-5888. EPA routinely provides this information to businesses whether or not they qualify as small businesses, as defined by the Small Business Administration. Please be aware that availing yourself of this opportunity does not relieve your facility of its responsibility to comply with applicable federal and state laws and regulations.

The Facility may assert a business confidentiality claim with respect to part or all of the information submitted to EPA in the manner described at 40 C.F.R. § 2.203(b). Information covered by such a claim will be disclosed by EPA only to the extent, and by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is submitted to EPA, the information may be made available to the public by EPA without further notice to you.

As you know, on March 30, 2016, the EPA performed an inspection at your Facility and took pictures. Pictures taken are in Attachment E. Some of the pictures in Attachment E include comments notated in parenthesis which require you to provide information on the type of action taken or to be taken to resolve noted issues. Questions relating to pictures are also listed in Attachment B, Question e.

If you have any technical questions regarding this Request, contact Joseph Canzano of my staff at 617-918-1763, and for legal questions contact Kevin Pechulis at 617-918-1612.

Sincerely,

A handwritten signature in black ink, appearing to read 'James Chow', with a stylized flourish at the end.

James Chow, Manager
Technical Enforcement Office
Office of Environmental Stewardship

Enclosures

cc: Eric Ryder, Director, Town of Hudson Public Works
John Blood, Chief, Town of Hudson Fire Department
Giles Steel-Perkins, Supervisor, Department of Environmental Protection
Kevin Pechulis, Esq., EPA
Ken Rota, EPA
Joseph Canzano, EPA

Attachment B

Respond to the Following Questions

Provide the following information:

- a. From May 2013 to the present, provide the Facility's total monthly wastewater flows introduced into the sanitary sewer system, expressed as a single number for each month in gallons.
- b. From May 2013 to the present, provide legible copies of all sampling and analysis reports for wastewaters introduced into the sanitary sewer system. Please organize reports in chronological order.
- c. An "Accidental Discharge/Slug Control Plan". The Plan shall be submitted to EPA within 60 days of receipt of this Request. The Plan shall be developed using EPA's guidance manual entitled "Control of Slug Loadings To POTWs, Feb/1991"¹ and contain the following elements under 40 C.F.R. § 403.8(f)(2)(vi).
 1. Description of discharge practices, including non-routine batch discharges.
 2. Description of stored chemicals including an up-to-date floor diagram for metal finishing operations. Diagram shall show the name of chemical(s), and tank location(s) and volume. Diagram shall also show discharge location(s) where chemicals have potential to exit the building.
 3. Procedures for immediately detecting and notifying the wastewater treatment plant of Slug Discharges, including any discharge that would violate a prohibition under 40 C.F.R. § 403.5(b) with procedures for follow-up written notification within five days.
 4. Detailed steps to prevent an adverse impact from an accidental spill and/or unintentional discharge from entering the sewer system and impacting the municipal treatment works. The steps shall include, but are not limited to, inspection and maintenance and documentation of chemical storage areas, containment berms, chemical tanks, and loading and unloading operations; worker spill prevention training and response procedures (i.e., turn off electrical power to automatic pumps discharging to the municipal sewer system if a tank unexpectedly ruptures or fails); measures for containing chemicals (including solvents and metal bearing plating baths and rinses); and measures for immediate notification to emergency response departments and the town's wastewater treatment works.

¹ <https://www3.epa.gov/npdes/pubs/owm021.pdf>

- d. Provide a detailed summary of all repairs and improvements made or expected to be made to certain chemical process tanks and chemical spill containment berm(s) and flooring identified below and photographed by EPA and shown in Attachment E.

Picture 2, tank corrosion associated with a water rinse tank.

Picture 8, tank deformation associated with a black dye tank.

Picture 20, tank corrosion associated with a yellow chromate micro-bright L tank.

Picture 24, tank deformation associated with a hydrochloric acid tank.

Picture 37, tank corrosion associated with a zinc electroplating tank.

Picture 38, tank corrosion associated with a cadmium cyanide electroplating tank.

Picture 43, tank corrosion associated with a bright nickel chloride electroplating tank.

Pictures 45 through 48, cracking, holes and significant failure associated with the concrete spill berm and joints between berm walls and floor.

- e. The acid and caustic chemical feed neutralization probes and recorder associated with your Facility's wastewater treatment system was not working properly, and the system's discharge flowrate recorder was not functioning at all. Provide a detailed response that explains the reason(s) effluent discharge flowrate meter, pH probes and recorders are not fully functioning and a schedule detailing the date(s) repair and/or improvements are scheduled to be addressed.

End of Questions

Attachment A

Request for Information Instructions

1. Provide a separate narrative response to each and every question and subpart of a question set forth in this Request. Precede each answer with the text and the number of the question and the subpart to which the answer corresponds.
2. If any question cannot be answered in full, answer to the extent possible. If your responses are qualified in any manner, explain.
3. Any documents referenced or relied upon by you to answer any of the questions in the Request must be copied and submitted to EPA with your response. All documents must contain a notation indicating the question and subpart to which they are responding. If the documentation that supports a response to one item duplicates the documentation that supports another item, submit one copy of the documentation and reference the documentation in subsequent responses.
4. If information or documents not known or not available to you as of the date of the submission of the response to this Request should later become known, or available to you, you must supplement your response. Moreover, should you find at any time after the submission of your response that any portion of the submitted information is inaccurate or incomplete, you must notify the EPA of this finding as soon as possible and provide a corrected response.

11153

9070

2070

2.4 kg (10.5)

11153

11153

8300

3,223

510 mg/L = 2,359 #

11153

5,177

DOMESTIC/ 2812005
COMERLID

224 . 148

1.42

372 #

11153

1165 - 372 = 793

400 = 705

PAVIA / Ave
Max MONDA

2/11
8-10/12

1/13

Attachment B

Respond to the Following Questions

Provide the following information:

- a. From May 2013 to the present, provide the Facility's total monthly wastewater flows introduced into the sanitary sewer system, expressed as a single number for each month in gallons.
- b. From May 2013 to the present, provide legible copies of all sampling and analysis reports for wastewaters introduced into the sanitary sewer system. Please organize reports in chronological order.
- c. An "Accidental Discharge/Slug Control Plan". The Plan shall be submitted to EPA within 60 days of receipt of this Request. The Plan shall be developed using EPA's guidance manual entitled "Control of Slug Loadings To POTWs, Feb/1991¹" and contain the following elements under 40 C.F.R. § 403.8(f)(2)(vi).
 1. Description of discharge practices, including non-routine batch discharges.
 2. Description of stored chemicals including an up-to-date floor diagram for metal finishing operations. Diagram shall show the name of chemical(s), and tank location(s) and volume. Diagram shall also show discharge location(s) where chemicals have potential to exit the building.
 3. Procedures for immediately detecting and notifying the wastewater treatment plant of Slug Discharges, including any discharge that would violate a prohibition under 40 C.F.R. §403.5(b) with procedures for follow-up written notification within five days.
 4. Detailed steps to prevent an adverse impact from an accidental spill and or unintentional discharge from entering the sewer system and impact the municipal treatment works. The steps shall include, but are not limited to, inspection and maintenance and documentation of chemical storage areas, containment berms, chemical tanks, and loading and unloading operations; worker spill prevention training and response procedures (i.e., turn off electrical power to automatic pumps discharging to the municipal sewer system if a tank unexpectedly ruptures or fails), measures for containing chemicals (including solvents and metal bearing plating baths and rinses), and measures for immediate notification to emergency response departments

¹ <https://www3.epa.gov/npdes/pubs/owm021.pdf>

and the town's wastewater treatment works.

5. Improvements and repairs to the cracks and holes observed by EPA to the spill containment berm for your cyanide plating and rinsing operations, and formal inspection and (if necessary) replacement of certain process tanks observed by EPA showing signs of corrosion and deformation.
- d. Provide a detailed summary, including pictures, for all repairs and improvements made to chemical tanks, spill containment berms and flooring, effluent flow meter, pH probes and recorders as a result of EPA's observations. If repairs and improvements have not occurred, provide a schedule detailing the date(s) repair and/or improvements are scheduled to be addressed.

End of Questions

Attachment C

Process Waste Water Sampling Program

1. The Facility is required, within ten (10) calendar days of receipt of this letter, to begin monitoring and recording, on a daily continuous basis, effluent wastewaters for hydrogen ion concentrations ("pH") and flow rate. The Facility shall install a new or repair existing recording equipment to monitor effluent wastewaters daily flow rates continuously, and calibrate probes daily for monitoring wastewaters for pH. Monitoring and recording for pH and flow shall be recorded on a wheel chart continuously or a similar recording system. Recording period shall be either weekly or daily.
2. All sampling and analysis shall be performed in accordance with EPA approved test methods as set forth in 40 C.F.R. Part 136. Sampling must be conducted during normal operating and production hours.
3. The Facility shall provide EPA with a summary pH Table on a quarterly basis. The Table shall identify all pH excursions during which a pH is recorded below 5.0 Standard Units ("S.U.") or above 12.5 S.U. The Table shall show the duration (in minutes) of each excursion, and the lowest and highest pH value recorded during the excursion. The Table shall include a statement that explains the potential and/or actual cause of each excursion, and what action(s) the Facility has taken, or will take, to minimize pH violations.
4. On a quarterly basis, the Facility shall collect and analyze wastewaters for pollutants listed under 40 C.F.R. § 413.14(b), i.e., total cadmium, total lead and cyanide (amenable). Sampling for total lead and total cadmium shall be collected through time proportional composite sampling techniques. Cyanide (amenable) shall be collected as a grab sample.
5. On an annual basis, the Facility shall collect and analyze wastewaters for Total Toxic Organics ("TTO") as required under 40 C.F.R. § 413.14(f). TTO shall be collected as a grab sample.
6. On a quarterly basis (during the months of March, June, September and December of every year), the Facility shall submit a "Quarterly Wastewater Discharge Monitoring Report" to the EPA, the Department and the Town of Hudson's wastewater treatment plant. The Report shall include effluent wastewater sample results, and a copy of pH and flow wheel charts.

7. On an annual basis (during the month of December of every year), the Facility shall include in its Quarterly Wastewater Discharge Monitoring Report a copy of TTO results.
8. Quarterly Wastewater Discharge Monitoring Reports shall contain the following:
 - a. Date and time period over which samples are collected.
 - b. Location where samples are collected.
 - c. Method of sample collection.
 - d. Analytical sample method.
 - e. Hours of operation of processes and sub-processes which were generating a discharge during the course of the sampling day.
 - f. Amount of wastewater discharged to the sewer over the sample day.
 - g. Documentation for pH and flow equipment calibration.
 - h. A certification statement as outlined at 40 C.F.R. § 403.6(a)(2)(ii) signed by the appropriate signatory as defined at 40 C.F.R. § 403.12(l).
9. Quarterly Wastewater Discharge Monitoring Reports shall be sent by certified mail to the following addresses:

U.S. Environmental Protection Agency
One Congress Street, Suite 1100
Boston, MA 02114-2023
Attn: Joseph Canzano, SEW

Department of Environmental Protection
8 New Bond Street
Worcester, MA 01606
Attn: Giles Steele-Perkins, Manager

Town of Hudson
One Municipal Drive
Hudson, MA 01749
Attn: Eric Ryder, Director of Public Works

ATTACHMENT D

Statement of Certification

Complete and Include With Your Response

I declare under penalty of perjury that I am authorized to respond on behalf of H. LaRosee & Sons, Inc. I certify that the foregoing responses and information submitted were prepared by me, or under my direction or supervision and that I have personal knowledge of all matters set forth in the responses and the accompanying information. I certify that the responses are true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment.

By _____
(Signature)

(Title)

(Date)

Attachment E

H LaRosee & Sons Inc.
15 Broad Street
Hudson, MA

March 30, 2016
Joint DEP/EPA Inspection

42.390306 Latitude -71.564196 Longitude



















































